

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/07/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TIFFANY WILSON, on behalf of herself and all	:	
others similarly situated,	:	
	:	
Plaintiff,	:	
-against-	:	21-CV-5930 (VEC)
	:	
MASTERCARD INC., AND MASTERCARD	:	<u>ORDER</u>
INTERNATIONAL INC.,	:	
	:	
Defendants.	:	
-----	:	
	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS on October 18, 2021, Defendants filed motions to dismiss the complaint and stay discovery, Dkts. 29, 31;

WHEREAS on December 6, 2021, Plaintiff filed an amended complaint in lieu of responding in opposition to the motion to dismiss, Dkt. 39;

WHEREAS pursuant to Rule 4(E)(i) of the undersigned's Individual Practices in Civil Cases, if a Plaintiff elects to amend its pleading in response to a motion to dismiss, the Court will deny the motion to dismiss as moot;

WHEREAS Defendants have agreed to withdraw their request to stay discovery without prejudice, with the understanding that they may renew their motion at or around the time the responsive pleading is due, Dkt. 33;

WHEREAS pursuant to Rule 4(E)(i) of the undersigned's Individual Practices in Civil Cases, if a plaintiff elects to amend its pleading, the plaintiff must file a redlined version of the amended pleading; and

WHEREAS no redlined version of the amended pleading has been filed in this case.

IT IS HEREBY ORDERED that Defendants' motion to dismiss is DENIED as moot.

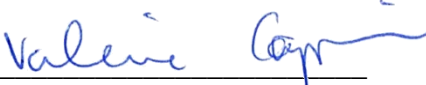
IT IS FURTHER ORDERED that Defendants' request to stay discovery is DENIED without prejudice.

IT IS FURTHER ORDERED that Plaintiff must file a redlined version of its amended complaint by no later than **Friday, December 10, 2021**. Plaintiff is reminded to comply with all individual rules moving forward.

The Clerk of Court is respectfully directed to close the open motions at docket entries 29 and 31.

SO ORDERED.

Date: December 7, 2021
New York, New York



VALERIE CAPRONI
United States District Judge